IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

OP.No. 22795 of 2001(L)

PETITIONER:

P. SEENA, D/O. K. NARAYANAN,
AGED 23 YEARS, L.P.S.A.,
CHANDAN MEMORIAL L.P. SCHOOL,
P.O. VELLUR, (VIA) PAYYANNUR,
KANNUR DISTRICT.

BY ADV. SRI.V.A.MUHAMMED.

RESPONDENTS:

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1. **THE SECRETARY TO GOVERNMENT,**
   GENERAL EDUCATION DEPARTMENT,
   SECRETARIAT, TRIVANDRUM.

2. **THE DIRECTOR OF PUBLIC INSTRUCTION,**
   JAGATHY, TRIVANDRUM.

3. **THE ASSISTANT EDUCATIONAL OFFICER,**
   PAYYANNUR, KANNUR DISTRICT.

4. **THE MANAGER,**
   CHANDAN MEMORIAL L.P. SCHOOL,
   P.O. VELLUR, (VIA) PAYYANNUR,
   KANNUR DISTRICT.

O.P. NO. 22795/2001-L:

5. SMT. BINDU POTTAKKULATH,
VINOD NIVAS, P.O. VELLUR,
(VIA) PAYYANNUR, KANNUR DISTRICT.

BY GOVERNMENT PLEADER SMT. LATHA THANKAPPAN,
ADV. SRI.KALEESWARAM RAJ,
ADV. SRI.M.SASINDRAN.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 37295/2001 IN O.P. NO. 22795/2001-L

DISMISSED

23/11/2007. **SD/- KURIAN JOSEPH, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE APPOINTMENT ORDER AND THE APPROVAL THEREOF DTD. 13/11/2000.

EXT.P.2: COPY OF THE ORDER NO. D-16/2001 OF THE R.3. DTD. 22/03/2001.

EXT.P.3: COPY OF THE LETTER NO. D-1117/2001 OF -DO- DTD. 26/03/2001.

EXT.P.4: COPY OF THE INTERIM ORDER IN C.M.P. NO. 22972/2001 IN O.P. NO. 14484/2001 OF THIS HONOURABLE COURT DTD. 03/07/2001.

EXT.P.5: COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN W.P.(C). NO. 31683/2003-V DTD. 08/04/2005.

EXT.P.6: COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN W.A. NO. 941/2005-E DTD. 04/09/2007.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

O.P. NO. 22795 OF 2001

Dated this the 23rd day of November, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by Exhibits P2 and P3 wherein the third respondent has taken the stand that the appointment of the petitioner is liable to be cancelled. It is brought to the notice of this Court that pursuant to the judgment in W.P.(C) No. 31683/2003 dated 08.04.2005, the appointment of the petitioner has already been approved with effect from 06.06.2001. In that view of the matter, Exhibits P2 and P3 requires fresh consideration.

2. I quash Exhibits P2 and P3 with a direction to the third respondent to consider the matter afresh with notice to the petitioner and respondents 4 and 5 within a period of three months from the date of production of a copy of this judgment, in the light of the judgment referred to above.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 22795 OF 2001

J U D G M E N T

23.11.2007